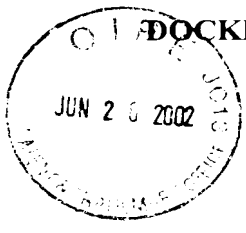


06-28-02

GP-1632



DOCKET NO.: MGH-0026

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUL 3 2002

In Re Application of: Wands et al.

Serial No.: 09/600,493

Group Art Unit: 1632

TECH CENTER 1600/2900

Filing Date: July 18, 2000

Examiner: R. Shukla

For: GENETIC IMMUNIZATION WITH NONSTRUCTURAL PROTEINS OF THE HEPATITIS C VIRUS

Express Mail Label No. E1.884785086US
Date of Deposit: June 26, 2002

EL884785086US

Box ☒ NON-FEE
☐ AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
 - ☒ An Amendment and Request for Reconsideration Responsive to the Office Action
- Dated March 28, 2002.
- ☐ An Amendment Supplemental to the Paper filed _____.
 - ☐ Other: _____.

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.

- ☐ Substitute Pages _____ of the Specification are enclosed.

- ☐ An Abstract is enclosed.

- ☐ _____ Sheets of Proposed Corrected Drawings are enclosed.

- ☐ A Certified Copy of each of the following applications: _____
_____ is enclosed.

- ☐ An Associate Power of Attorney is enclosed.

- ☐ Information Disclosure Statement.
 - ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.

- ☐ Appended Material as follows: _____ .

- ☒ Other Material as follows: One Reference _____ .

FEE CALCULATION



No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	38	38 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	7	7 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$0
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$	\$400	\$0
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$	\$1960	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$0)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							0
TOTAL FEE DUE							\$0



A Check is Enclosed in the Foregoing Amount Due.



Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of @@ to and through @@ comprising an extension of the shortened statutory period of @@ month(s).



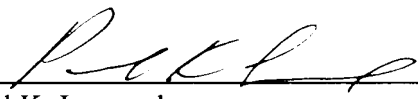
The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit

account 23-3050. This sheet is provided in duplicate.

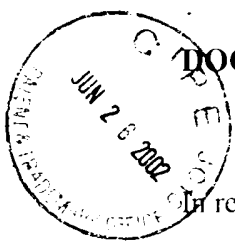
- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: 26 JUNE 2002


Paul K. Legaard
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Telephone: (215) 568-3100
Facsimile: (215) 568-3439



DOCKET NO.: MGH-0026

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In re application of:

Wands and Encke

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EXPRESS MAIL INFORMATION

EXPRESS MAIL LABEL NO: EL 884785086 US

DATE OF DEPOSIT: 26 June 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

AMENDMENT AND REQUEST FOR RECONSIDERATION

In response to the Office Action mailed March 28, 2002 in connection with the above-identified patent application, Applicants respectfully request that the application be amended as follows.

In the Claims:

Please amend claims 6, 13, 32 and 45 to read as follows:

6. (Amended three times) A recombinant nucleic acid molecule comprising a nucleotide sequence encoding hepatitis C virus NS4 or NS5 protein wherein said nucleotide sequence is operably linked to a promoter, enhancer, polyadenylation sequence, and 5' UTR of hepatitis C virus.

13. (Amended three times) A pharmaceutical composition comprising: